IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of:	:
Mark Allen Grubbs	:
	: Before the Examiner:
Serial No: 10/621,951	: Charles Edward Lu
	:
Filed: 07/17/2003	: Group Art Unit: 2163
	:
Title: PERFORMANCE-ENHANCING	: Confirmation No.: 1546
SYSTEM AND METHOD OF	:
ACCESSING FILE SYSTEM	:
OBJECTS	:

APPELLANTS' REPLY BRIEF UNDER 37 CFR §41.41

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

    This is a Reply to the Examiner's Answer dated December 12, 2007 in accordance with 37 CFR §41.41.

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RESPONSE TO EXAMINER'S ARGUMENTS

In the RESPONSE TO ARGUMENT section of the Answer Brief, the Examiner stated that:

> Appellant argues that the term "vnode" does not read on the claimed "inode" because the "vnode" is the independent part of the inode rather than both the independent and dependent part of the inode (Appeal Brief, p. 6, para. 2). The examiner respectfully disagrees.
>
> The claims do not require that an inode comprises both independent and dependent parts. Furthermore, no such definition of "inode" is found in the specification. Therefore, the broadest reasonable interpretation was applied for the claimed "inode".

The broadest reasonable interpretation of an inode is that it is an ***inode*** and not that it is an independent inode or a dependent inode. The claimed invention calls for an "inode," not an independent inode and not a dependent inode. And, it is an "***inode*** that is disclosed in the Specification, not an independent inode or a dependent inode.

By contrast, Kleiman (one of the applied references) discloses an inode as having a dependent part and an independent part and defines the independent part of the inode as a vnode.

Thus, Appellants submit that since a vnode is the independent part of the inode then a vnode cannot read on an "inode" since, according to Kleiman, an "inode" is the sum of its independent part and dependent part.

Therefore, in accordance with the applied references, a vnode is not an inode nor does it read on an inode.

In response to Appellants' argument that there has to be a teaching, a suggestion or a motivation to combine the teachings of the applied references, the Examiner stated that the motivation was found in the references themselves or in the knowledge generally available to one of ordinary skill in the art.

AUS920030463US1

However, Appellants notice that the Examiner did not point to any passages, reasons, suggestions in the applied references or elsewhere for combining their teachings.

To recapitulate, Duchamp teaches an optimistic lookup of whole network file system (NFS) paths in a single operation. When a client wants to look up a path to a file, a cache in which paths to vnodes of files are stored is checked. If the path is not in the cache, then the request is sent to a server. According to Duchamp, the server looks up the whole path at once and returns the result to the client. The client then stores the result in the cache for future uses.

Kleiman decomposes an inode layer into a dependent inode and an independent inode and defines a vnode as the independent part of the inode.

Sinha teaches a pathname resolution method for providing fixed speed of file accessing in computer network. One of the ways this is done is by using a name cache that contains pathnames of frequently accessed files cross-referenced to their location.

Appellants' admitted prior art, according to the Examiner, discloses an inode as being identified by a unique number called an inode number.

Since Duchamp teaches storing whole paths of files that have been resolved into vnodes by a server into a cache, Appellants do not see the reason for combining the teachings of kleiman, Sinha and Appellants' admitted prior art with those of Duchamp absent a specific teaching to do so.

But, as mentioned in the Appeal Brief, even if the teachings of the applied references were to be combined together, the resulting combination would not teach the claimed invention.

The claimed invention specifically teaches the step of **determining at least one _frequently-accessed file system object_ in a file system _upon mounting the file system at a mount point_ on a computer system**.

None of the applied references, either alone or in combination, teaches, shows or suggests that when mounting a file system at a mount point, a check

should be made to determine whether there is at least one frequently-accessed file system object.

Consequently, Appellants submit that the claims are not made obvious by the combination of the teachings of the applied references and kindly request reversal of the rejection.

Respectfully Submitted

By: _____

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